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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,178	12/27/2000	Takuya Uchiyama	1614.1108	2991

21171 7590 06/22/2006

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EXAMINER

LAO, LUN YI

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,178

Applicant(s)

UCHIYAMA, TAKUYA

Examiner

LUN-YI LAO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The recitation of "a calculation unit enabling an "absolute coordinate value mode"-like inputting operation by calculating a distance between a final coordinate value of a previous operation and a beginning coordinate value of a current input operation by said input unit" in claims 1, 5, 9, 13, 17, 21, 25, 29, and 33 does not disclosed in the specification. The specification only disclose a coordinate input device is set in an absolute mode when the contact area is less than a predetermined value C or the off-contact time is less than the predetermined time T1(see figures 4A-5 , 7; paragraphs 48-55 and 69-73). The specification only disclose a calculation unit(S57, figures 6 and 8) for calculating a distance between a final coordinate value of a previous operation

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and beginning coordinate value of a current input operation when the coordinate input device is in a relative mode(see figures 6, 8; paragraphs 64 and 82).

3. Regarding claims 1, 5, 9, 13, 17, 21, 25, 29, 33, and 40, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 41 is rejected under 35 U.S.C. 102(e) as being anticipated by Louis et al(6,088,023).

Louis et al teach a writing device comprising a switch(18) for switching between a relative coordinate value(touchpad input mode) and an absolute coordinate mode(graphic tablet) based on an input signal and a detector detecting a coordinate

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value based on the switching(see figures 1A-2; column 4, lines 53-63 and column 5, lines 47-56).

6. Claims 41 is rejected under 35 U.S.C. 102(e) as being anticipated by Applicants' admitted prior art

Applicant's admitted prior art teach a writing device comprising a switch(hardware) for switching between a relative coordinate value and an absolute coordinate mode based on an input signal and a detector detecting a coordinate value based on the switching(see figure 1 and paragraphs 6 and 12).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 5-7, 9-11, 13-15, 17-19, 21-23, 25-27, 29-31 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicants' admitted prior in view of Yoshinobu et al(5,777,605).

The limitation of a calculation unit enabling an “absolute coordinate value mode” as cited in claims 1, 5, 9, 13, 17, 21, 25, 29, and 33 will not be considered on the below rejections.

As to claim 1, 5, 9, 13, 17, 21, 25, 29 and 33, Applicants’ admitted prior art teaches a coordinate detection device, comprising an input unit (input panel, S10), having a surface thereof, to which a coordinate value is input by an input means device(see figures 1-2 and paragraphs 4-5); a determination unit(S16) determines an operation mode of the input unit(input panel)(see figure 1 and paragraphs 10); a calculation unit (S19) for calculating the distance between a final coordinate value of a previous operation and a beginning coordinate value of a current input operation; a setting unit setting in the calculation unit, a coordinate value at a time when the input device is detached from the surface of the input unit as the final coordinate value of the previous input operation(see figures 1, 4-8; abstract and paragraphs 11-12).

Applicant’s admitted prior art fail to prevent the current input operation from being connected to the previous input operation on a display.

Yoshinobu et al teach a coordinate detection device for preventing the current input operation(relative mode, switching a relative mode to an absolute mode by detecting contact area) from being connected to the previous input operation(relative mode) on a display(see figures 1-5; abstract; column 5, lines 26-68; column 6 and column 7, lines 1-6). It would have been obvious to have modified applicants’ admitted prior art, so the absolute and relative modes could be automatically switched by detecting the contact area without need to press a button(see abstract).

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As to claims 2, 6, 10, 14, 18, 22, 26, 30 and 34, applicants' admitted prior art teach the control unit that enables or disable the setting unit based on determination result of the determination unit(see figure 1 and paragraph 11).

As to claim 3, 7, 11, 15, 19, 23, 27, 31 and 35, Yoshinobu et al teach the determination unit(61) determines the operation mode of the input unit based on a contact area formed by a contact of the input means(finger or stylus) with the surface of the input unit(51)(see figures 4-5; column 5, lines 25-68 and column 6, lines 1-50).

9. Claims 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior in view of Yoshinobu et al(5,777,605) and Suzuki et al(5,561,447).

As to claims 37-39, Applicants' admitted prior art fail to set a coordinate value of a fit inputting as the final coordinate value input of the first inputting if a second inputting has not occurred for a predetermined of time.

Suzuki et al teach a computer medium for storing a coordinate value of a first inputting as the final coordinate value input of the first inputting(pen-down) if a second inputting has not occurred for a predetermined of time(see figures 1, 4, 7, 11; abstract; column 2, lines 25-32 and column 7, lies 43-55). It would have been obvious to have modified Applicants' admitted prior art as modified with the teaching of Suzuki et al, the error coordinate input data could be prevented(see abstract).

As to claim 38, applicants' admitted prior art teach the control unit that enables or disable the setting unit based on determination result of the determination unit(see figure 1 and paragraph 11).

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As to claim 39, Yoshinobu et al teach the determination unit(61) determines the operation mode of the input unit based on a contact area formed by a contact of the input means(finger or stylus) with the surface of the input unit(51)(see figures 4-5; column 5, lines 25-68 and column 6, lines 1-50).

10. Claims 4, 8, 12, 16, 20, 24, 28, 32, and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' admitted prior in view of Yoshinobu et al(5,777,605) and Maxted(6,340,967).

As to claims 4, 8, 12, 16, 20, 24, 28, 32 and 36-40, Applicants' admitted prior art fail to determine the operation mode of inputting based on a time during which input device is detached from the surface of the input unit.

Maxted teaches a coordinate input device for determining the operation mode of inputting based on a time during which input device is detached from the surface of the input unit(see figures 1, 21C-23; abstract; column 2, lines 10-26 and column 4, lines 35-40). It would have been obvious to have modified applicants' admitted prior art with the teaching of Maxted, so an operation mode could be could be automatically selected by detecting the contact area without need to press a button(see abstract).

As to claim 37, Maxted teaches a computer medium for storing a coordinate value(X,Y) of a first inputting as the final coordinate value input of the first inputting(pen-down) if a second inputting has not occurred for a predetermined of time(see figures 1, 21C-23; abstract; column 2, lines 10-26; column 27, lines 43-55 and column 29, lines 35-39).

Response to Arguments

11. Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Carroll et al(6,121,960) teach a touch screen having an absolute mode and a relative mode.

Ishigaki(6,107,992) teach a remote controller having a switch for switching the controller in different mode

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi Lao whose telephone number is 571-272-7671. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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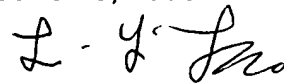
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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

June 15, 2006

A handwritten signature in black ink, appearing to read 'L - Y Lao', with a stylized flourish at the end.

Lun-yi Lao

Primary Examiner